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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 10/720,225      | 11/25/2003  | James Stewart McCormick | ALC 3099            | 4351             |

7590 08/28/2007  
KRAMER & AMADO, P.C.  
Suite 240  
1725 Duke Street  
Alexandria, VA 22314

| EXAMINER |
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NGUYEN, QUYNH H

| ART UNIT | PAPER NUMBER |
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2614

| MAIL DATE | DELIVERY MODE |
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08/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/720,225

Applicant(s)

MCCORMICK ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on remarks filed 6/20/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-10 and 15-19 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 11-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

2. Claims 1, 5-9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menon et al. (US Patent 6,208,627) in view of Boehmke et al. (U.S. Patent 6,788,933).

As to claim 1, Menon et al. teaches a method for recording call failure information in a data transmission system (col. 41, lines 30-32) comprising:

generating a failure log in response to a failure event, the failure log including a failure type (col. 41, line 60 through col. 42, line 37) and timestamp (col. 41, lines 32-37 - *where Menon discussed the wireless access communication unit sends alarm message using Control Traffic Transport message, hence it is inherent that the alarm message / failure log including timestamp*);

formulating an identifier for the failure log based on said failure type (col. 42, lines 5-11); and

creating a log record for said failure log (col. 41, lines 30-37; col. 41, line 60 through col. 42, line 11) and storing said log record in a log record storage (col. 42, lines 10-11 - *where Moen discussed logged alarm message / information used for later*

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*debugging, hence the log alarm message / record stored in some storage in order for later retrieval).*

Menon et al. does not explicitly teach placing call records in a queue in the order in which it was time stamped.

Boehmke et al. teaches placing call records in a queue in the order in which it was time stamped (col. 31, lines 26-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Boehmke into the teachings of Moen for the purpose of having a more efficient system and keeping track of reports the occurrence of the events.

As to claim 5, Menon et al. teaches formulating an identifier comprises processing selected fields in the failure log (col. 42, lines 3-11).

As to claims 6-9, Menon et al. teaches the selected fields include and failure reason field, a failure point field, a calling party identification field, a called party identification field and a proprietary failure reason field (col. 41, line 60 through col. 42, line 37). However, Menon et al. does not explicitly teach applying crc type checksum function over selected fields. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above mentioned features into the teachings of Menon for the purpose of having a more efficient and better system.

Claim 15 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Boehmke et al. teaches a log queue (col. 31, lines 26-33).

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3. Claims 2-4, 10, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menon et al. (US Patent 6,208,627) in view of Boehmke et al. (U.S. Patent 6,788,933) and further in view of Liu et al. (US Patent 6,170,067).

As to claim 2, Menon and Boehmke do not explicitly teach a log record comprises a timestamp field for storing the timestamp and a count field for storing a count indication the number of log records generated by the failure event.

Liu et al. teaches a log record comprises a timestamp field for storing the timestamp (col. 5, lines 36-43) and a count field for storing a count indication the number of log records generated by the failure event (col. 2, lines 63-65; col. 3, lines 1-42).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Liu into the teachings of Menon and Boehmke for the purpose of having a more efficient system and promptly report system failures problem, and the occurrence of the events.

Claim 3 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Liu et al. teaches updating the log record and the log record storage to document the current timestamp (col. 14, lines 35-39).

As to claims 4 and 10, Liu et al. teaches incrementing the count to indicate the current number of failure logs with the identifier that have updated the log record (col. 5, line 63 through col. 6, line 5).

As to claim 16, Liu et al. teaches updating the log record in the log record storage (col. 14, lines 35-39).

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Claims 17-18 are rejected for the same reasons as discussed above with respect to claim 3. However, Menon, Boehmke and Liu do not teach a filter is configurable for selecting a number of fields in the failure log. It would have been obvious to one of ordinary skill in the art at the time the invention was made that a configurable filter in any logs is well known and the advantage of using this filter is also well known. For example, filtering out certain important fields in the log for statistics purposes.

Claim 19 is rejected for the same reasons as discussed above with respect to claims 15 and 17.

#### ***Allowable Subject Matter***

4. Claims 11-14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 12-13 are objected because they depend on objected claim 11.

#### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

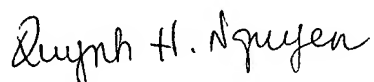
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-

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7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Quynh H. Nguyen**  
**Primary Examiner**  
**Art Unit 2614**